



Image GP RCE
Atty. Dkt. No. 076333-0240

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert H. Getzenberg
Title: BLADDER CANCER NUCLEAR MATRIX PROTEINS,
POLYNUCLEOTIDE SEQUENCES ENCODING THEM,
AND THEIR USE
Appl. No.: 09/866,927
Appl. Filing Date: 05/30/2001
Examiner: Larry Ronald Helms
Art Unit: 1642

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. § 1.114:** (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on ____.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

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☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☐ Other ____.

b. Enclosed are:

☒ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☒ Other Executed Inventor's Declaration.

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	22	- 22	= 0	x \$18.00	= \$0.00
Independents	1	- 3	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$950.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$950.00
EXTENSION FEE ALREADY PAID: -				\$110.00
EXTENSION FEE TOTAL				\$840.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1610.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$805.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$805.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$00.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$805.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Dec 23, 2003

By Stephen B. Maebius

FOLEY & LARDNER

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Stephen B. Maebius

Attorney for Applicant

Registration No. 35,264



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 076333-0240

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POLYNUCLEOTIDE SEQUENCES ENCODING
THEM, AND THEIR USE
Application No.: 09/866,927
Filing Date: May 30, 2001
Examiner: Larry Ronald Helms
Art Unit: 1642

AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111
ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Final Office Action dated June 25, 2003, and the Advisory Action dated November 12, 2003, concerning the above-referenced patent application. This communication is deemed to fulfill the requirements of 37 C.F.R. § 1.114(a) and (c), as a submission accompanying a Request for Continued Examination (RCE).

A reply is due December 25, 2003, by virtue of the attached Petition for Extension of Time and payment of the required fees. Although Applicant believes the amount of the attached check is correct, the Commissioner is hereby authorized to credit any overpayment or charge any deficiency to Deposit Account No. 19-0741.

The amendments presented below are in compliance with the revised amendment format permitted in the Notice from the Office of Patent Legal Administration of the U.S.

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Patent and Trademark Office dated February 10, 2003, and published at 1267 OG 106 on February 25, 2003. Thus, the provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments made in this application to the claims, specification, and drawings.

Listing of claims begins on page 3 of this document.

Remarks/Arguments begin on page 6 of this document.

Please amend the application as follows: